

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SCOTT ANDREW WITZKE,

Petitioner,

Case No. 21-cv-10319

Hon. Matthew F. Leitman

v.

MICHAEL J. BOUCHARD,

Respondent.

**ORDER DENYING PETITION FOR A WRIT OF HABEAS
CORPUS (ECF # 1) AND DENYING PETITIONER'S ORAL
MOTION FOR A CERTIFICATE OF APPEALABILITY**

Petitioner Scott Andrew Witzke is currently facing criminal charges in state court and is a pre-trial detainee in the Oakland County Jail. Witzke was originally granted bond by a Judge of the 47th District Court, but he was incarcerated when a Judge of the Oakland County Circuit Court later revoked his bond. (*See* Pet., ECF No. 1.) Witzke insists that the Judge of the Circuit Court violated his right to due process when the Judge revoked his bond. (*See id.*) On January 28, 2021, Witzke filed a petition for a writ of habeas corpus in this Court pursuant to 28 U.S.C. §

2241.¹ (*See id.*) In the petition, Witzke seeks an order reinstating his state court bond.

On April 6, 2021, the Court held a hearing on Witzke's petition. For the reasons stated on the record, the petition is DENIED.

Finally, during the hearing, Witzke also made an oral motion for a certificate of appealability. For the reasons stated on the record, this motion is also DENIED.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: April 7, 2021

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 7, 2021, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

(810) 341-9764

¹ The Clerk of the Court received the petition on February 8, 2020 (*see* Pet, ECF No. 1, PageID.60), and it was and filed on this Court's docket on February 12, 2021. (*See* Dkt.)